Appln No. 09/931,390   <u>PATENT</u>
Amdt. dated July 12, 2005
Reply to Office Action of February 10, 2005

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<u>REMARKS/ARGUMENTS</u>

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Claims 1-45 were pending. Claims 42-45 were canceled, without prejudice for subsequent renewal, for sake of compactness in prosecution. Claims 1-41 were variously rejected under 35 USC 103(a) as unpatentable over Solomon in view of Chernyak and Gien, and/or Daswani, or Daswani in view of Solomon.

Claims 1, 6 and 14 were also rejected under 35 USC 112 ¶2 as being indefinite. In response, these claims were amended to describe the function of the application framework.

Additionally, independent claims 1, 6, 14, and 19 were amended to add additional limitations to the claimed limitations. For instance, claim 1 now recites:

> *code configured to implement an application framework comprising a package manager, wherein the package manager is configured to request platform independent application code from a client server, wherein the application framework is configured to receive the platform independent application code and configured to request execution of platform independent instructions of the platform independent application code, and wherein the application framework includes platform independent applications;*
>
> *code configured to implement a programming environment, wherein the programming environment is configured to receive the request for execution of the platform independent instructions and configured to convert the request to a request for execution of standardized operating system instructions;*
>
> *code configured to implement an operating system comprising an operating system abstraction layer and a first platform-specific operating system, wherein the operating system abstraction layer is configured to receive the requests for the execution of standardized operating system instructions and configured to convert the requests to requests for execution of platform-specific instructions of the first platform-specific operating system*
>
> *wherein the client server receives application code and modifies the application code to form platform independent application code.*

Prior amendments have discussed Solomon and Chernyak. Importantly, none of the references discloses the claimed programming environment or operating system. In contrast, at best Solomon Fig. 3 illustrates: a platform-dependent operating system NT 314 converted to another platform-dependent operating system Unix 306. Further, none of the references disclose the claimed client server limitation of modifying application code to form the platform in dependent code.

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In light of the above, claims 1 and 6 are asserted to be allowable. Claims 2-5 and 7-13 are also asserted to be allowable for substantially the same reasons, and for the specific limitations they recite.

Claims 14 and 19 also include another limitation not taught by the cited references. More specifically, none of the references disclose the claimed client server limitation of converting a complex protocol into a simplified protocol.

In light of the above, claims 14 and 19 are asserted to be allowable. Claims 15-18 and 20-22 are also asserted to be allowable for substantially the same reasons, and for the specific limitations they recite.

The Examiner's rejection of claim 23 is traversed. The Examiner rejected claim 23 as being an apparatus claim of claim 6. However, claim 23 is clearly a method claim. Further, upon review of the limitations of pre-amended 6, claim 23 includes entirely different limitations. Accordingly, the rejection of claim 23 must be withdrawn and allowed or properly rejected.

The Examiner's rejection of claim 27 is traversed. The Examiner rejected claim 23 as being an apparatus claim of claim 23. However, claim 27 is also clearly a method claim thus, the rejection of claim 27 must be withdrawn and allowed or properly rejected.

The Examiner's rejection of claim 31 is traversed. The Examiner rejected claim 31 as being a apparatus claim of claim 23. However, claim 31 is also clearly a method claim thus, the rejection of claim 31 must be withdrawn and allowed or properly rejected.

The Examiner's rejection of claim 34 is traversed. The Examiner rejected claim 34 as being a apparatus claim of claim 31. However, claim 34 is also clearly a method claim thus, the rejection of claim 34 must be withdrawn and allowed or properly rejected.

The Examiner's rejection of claim 38 is traversed. The Examiner rejected claim 38 as being a apparatus claim of claim 31. However, claim 38 is also clearly a method claim thus, the rejection of claim 38 must be withdrawn and allowed or properly rejected.

The remaining dependent claims are also asserted to be allowable for substantially the same reasons as the respective independent claims, and for the specific limitations they recite.

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CONCLUSION
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In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (650) 326-2400.

Respectfully submitted,

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